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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/770,319	01/26/2001	Shi-Chang Wooh	MIT-116J	7522

7590 02/05/2002
Iandiorio & Teska
260 Bear Hill Road
Waltham, MA 02451-1018

EXAMINER

MOLLER, RICHARD ALAN

ART UNIT	PAPER NUMBER
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2856

DATE MAILED: 02/05/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/770,319

Applicant(s)
Wooh

Examiner
RICHARD MOLLER

Art Unit
2856

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on Request For Divisional 01/26/01, Pre Amdts A & B 01/26/01

2a) ☐ This action is FINAL.

2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) 22-25 is/are pending in the application.

4a) Of the above, claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) 22-25 is/are rejected.

7) ☒ Claim(s) 23 is/are objected to.

8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

a) ☐ All b) ☐ Some* c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. _____

3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

RICHARD MOLLER
PRIMARY EXAMINER
[Signature] 1/20/02

Attachment(s)

15) ☒ Notice of References Cited (PTO-892)

16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 4

18) ☐ Interview Summary (PTO-413) Paper No(s). _____

19) ☐ Notice of Informal Patent Application (PTO-152)

20) ☐ Other: _____

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DETAILED ACTION

Response to Amendment

1. This action is responsive to the first Preliminary Amendment filed Jan 26, 2001, concurrently with the Request For Divisional Application under 37 CFR 1.60, in which the Amendment canceled claims 2-4, 7-16, 18 and 20. This action is also responsive to the second Preliminary Amendment, also filed on Jan. 26, 2001, canceling claims 1, 5, 6, 17, 19 and 21 and adding claims 22-25, which correspond to Specie III, as indicated in the Restriction of April 25, 2000, in parent application 09/028,536, currently pending. Claims 22-25 are pending in this application.

Claim Objections

2. Claim 23 is objected to because of the following informalities: Claim 23 depends upon canceled claim 5. Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 22-25 are rejected under 35 U.S.C. 102(b) as being anticipated by Monchalin (US 4,659,224), of record.

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5. Re claims 22-25: '224 discloses a flaw detection system for detecting flaws in a medium, comprising: (Figs. 1 & 4): Transducer means comprise the elements taught in Figure 4, which are spaced from the medium to be inspected (work piece 20), wherein the transducer means "introduces" ultrasonic acoustic signals to the medium 20 with a predetermined frequency and then senses acoustic signals from the medium 20 Doppler shifted in frequency and are representative of any flaws in the medium 20. '224's transducer means uses laser 8 to emit a monochromatic coherent beam of light to excite acoustic signals in the medium 20 (col. 4, lines 55+). '224's incident laser beam is then modulated with a predetermined frequency (col. 2, line 60). The Examiner takes Official Notice, that lasers inherently emit coherent light beams, which possess a specific frequency. Accordingly, '224's transducer propagates an incident beam to medium 20 with a predetermined carrier frequency.

Receiver means consists an optical frequency spectrum analyzer (interferometer 4) (see Figure 1; col. 4, lines 1-10), which serves as a separate receiver, for sensing acoustic signals from the medium 20.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard Moller, whose telephone number is (703)-308-6715. The examiner can normally be reached on Monday-Thursday from 8:30 AM - 6:00 PM. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hezron Williams, can be reached on (703)-305-4705. The fax number for this Group is (703)-308-7382.

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Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703)-305-4900.

A handwritten signature in black ink, appearing to be 'R. Moller', written in a cursive style.

Richard A. Moller
Primary Examiner
January 28, 2002